

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JIMMIE LEWIS,)
Plaintiff,)
v.) Civil Action No. 05-013-GMS
WARDEN RAPHAEL WILLIAMS,)
et al.,)
Defendants.)

ORDER

WHEREAS, plaintiff Jimmie Lewis (“Lewis”), SBI #506622, a prisoner incarcerated at Delaware Correctional Center, Smyrna, Delaware, filed a complaint pursuant to 42 U.S.C. § 1983. Plaintiff is *pro se* and was granted permission to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915;

WHEREAS, Lewis initially filed this complaint against defendants Warden Raphael Williams, Department of Correction Commissioner Stanley Taylor, Jr. and Staff, and First Correctional Medical and Staff. (D.I. 2)

WHEREAS, On April 8, 2005, an amended complaint was filed pursuant to Fed. R. Civ. P. 15(a). (D.I. 8)

WHEREAS, Lewis filed a motion to amend his complaint to cure deficiencies in the complaint. (D.I. 17) “After amending once or after an answer has been filed, the plaintiff may amend only with leave of the court or the written consent of the opposing party, but ‘leave shall be freely given when justice so requires.’” *Shane v. Fauver*, 213 F.3d 113, 115 (3d Cir. 2000) (quoting Fed. R. Civ. P. 15(a)). The Court grants in part Lewis’ motion to amend the complaint.

THEREFORE, at Wilmington this 20th day of December, 2005, IT IS ORDERED that:

1. The motion to amend complaint is GRANTED in part and the complaint is amended as follows:

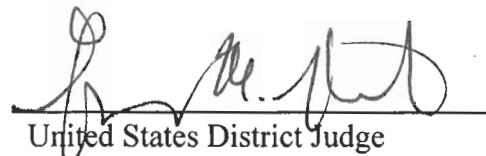
a. a jury demand is added;

b. violations of the First, Fourth, Fifth, Sixth, Eighth, and 14th Amendments of the United States Constitution are added;

c. Capt. D. Bamford, Capt. Emig, Capt. P. Parker, Major Dave Williams, Capt. Jefferson, Internal Affairs, Lt. Joseph Sabato, Lt. Sheets, Lt. S. Farmer, Lt. Mitchel, Lt. Chudzig, Sgt. M. Moody, Sgt. Fred Way, Sgt. C. Richards, Sgt. Medford, Sgt. Lewis, Sgt. Kennedy, Corporal A. Goins, Corporal A. Davis, Corporal Harriford, Corporal Chapel, Corporal Cumberback, C/O Presley, C/O C. Johnson, C/O Talenti, C/O Mark Blue, C/O Ms. Newman, C/O D. Carlock, C/O B. Apa, C/O V. Williams, C/O Canon, C/O G. Ince, C/O Soul, C/O A. Armstrong, C/O Gassner, C/O D. Young, C/O Mack Renolds, C/O Nannett Bordley, C/O Wayman, C/O Mase, C/O Tamiko Chaffer, C/O Rodriguez, C/O Hardgrave, Lt. Polk, and Michael Knight are added as defendants.

2. All other requested amendments are DENIED.

3. The Clerk of the Court shall cause a copy of this order to be mailed to the plaintiff.



United States District Judge